

REMARKS

This Amendment is responsive to the Office Action mailed January 15, 2008, and further to the Advisory Action of April 10, 2008. Claim(s) 1, 2, 7-9, 20, 22, 25, 28-35 and 37-39 are now pending in this Application. Claims 1, 20 and 25 are independent claims and the remaining claims are dependent claims.

In this Amendment, claim(s) 1, 22, 25, 31, 32, and 35 have been amended, claim 20 cancelled, and claim 40 added. Applicant(s) believe that the claim(s) as presented are in condition for allowance. A notice to this affect is respectfully requested.

The Office Action persists in the rejection of claims 1,2, 7, 9, 20, 25, 28, 29, 31, 33 and 37-38 under 35 U.S.C. §103(a) as being obvious over Abboud et al., U.S. Pub. No. 2002/0184484 (Abboud '484) in view of Steitle et al., U.S. Pub. No. 2002/0188700 (Steitle '700). Specifically, the Office Action suggests that Applicant's previous response did not recite the argued distinguishing features in independent claims 1, 20 and 25. In view of the Examiner's comments, Applicant herein proposes further clarifying Applicant's distinguishing feature of generating and deploying a respective digital image for a plurality of servers from a single user action, as amended and discussed below. Reconsideration is respectfully requested.

Abboud '484 does not show, teach or disclose a master configurer creating a digital image for each of a plurality of components (i.e. servers) according to a network design list, as disclosed in paragraph [0010] of the specification as filed. Thus, the claimed approach generates a design for a plurality of network servers, in which each design corresponds to a digital image for a respective server, as now recited in amended claim 1. While Abboud '484 shows three servers as an example, each reprovisioning of a server requires a separate user action and deployment screen (Fig. 6). Abboud does not disclose a single user action for deploying a digital image for a plurality of components, based on the design list (i.e. network design). The claimed approach of Claim 1, in contrast, now recites generating a plurality of network designs for the plurality of network servers, building a respective digital image with the software and hardware settings for each of the plurality of servers, in which each design

corresponds to a digital image for a respective network servers, and deploying each of the respective digital images onto the plurality of servers from a single user action.

The Steitle '700 network design specifies network elements, or nodes and interconnections between them. Steitle '700, however, is silent on the deployment of image deployment or other executable items WITHIN the network elements ([0020-0021]. Accordingly, one of skill in the art would not look to Steitle to modify Abboud and further, even if one were to attempt the combination, the result would be inoperable because Abboud '484 requires a separate GUI interaction for each node for which a deployment occurs ([0032], each appliance server requires "very little" input by personnel). The Steitle '700 design, therefore, encompasses connections BETWEEN network elements [0023-0025]. Steitle makes no showing, teaching, or suggestion, alone or in combination, of deploying a plurality of images on multiple respective network elements.

Claim 25, reciting similar features and rejected on similar grounds, have been likewise amended.

Rejections of claims 20 and 25 under 35 U.S.C. §112 and §101 have been herein addressed by the above amendments. It is therefore respectfully requested that the rejections under 35 U.S.C. §112 and §101 be withdrawn. Claim 35 has also been amended to correct minor syntactical irregularities. Further, claim 40 has been herein added, to further clarify and distinguish Applicant's claimed invention by reciting the distinguishing features of:

Receiving a design indicative of the components in the network, each component responsive to a particular digital image file for performing operations based on the design, as disclosed at paragraph[0019];

Receiving design rule logic indicative of links interconnecting the components, and generating each of the digital images files for communicating with the indicated links to the other components, as shown at paragraph [0016];

Configuring the digital image corresponding to each network component to include the unique operations settings for the deployment network, discussed further at paragraph [0010]; and

That the digital images are deployed with settings and parameters onto components such that the components are operable cohesively without the need to manually adjust the settings or parameters, as disclosed at paragraph [0011].

The above remarks and amendments therefore distinguish the claims over the cited art of record. Applicant further submits that, as the above remarks and amendments serve to clarify issues in the previous office action and do not present new issues, no new search should be required. As the remaining claims depend, either directly or indirectly, from claims 1 and 25, it is respectfully submitted that all claims are now in condition for allowance.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/CJL/

Christopher J. Lutz, Esq.
Attorney for Applicant(s)
Registration No.: 44,883
Chapin Intellectual Property Law, LLC
Westborough Office Park
1700 West Park Drive, Suite 280
Westborough, Massachusetts 01581
Telephone: (508) 616-9660
Facsimile: (508) 616-9661

Attorney Docket No.: SUN07-01(P6337)

Dated: June 16, 2008